

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**DONNA K. SOUTTER, *for herself and on
behalf of others similarly situated individuals,***

Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES, LLC,

Defendants.

Civil Action No. 3:10cv107-REP

**PLAINTIFF'S AMENDED PROPOSED SCHEDULE AND PROCEDURES FOR CLASS
NOTIFICATION, FOR COMPLETING DISCOVERY AND TO SET A TRIAL DATE**

Comes now Donna K. Souter, on behalf of herself and others similarly situated, and submits the following amended proposed schedule and procedure to notify the class, including notification of opt-out rights, for completing discovery and to propose a trial date. The Defendant has filed its proposed order. The Plaintiff considered the Defendant's proposed schedule and objections (Docket # 95), and has incorporated some of Defendant's proposals, including the discovery schedule, with which it agrees.

(1) Development of the Class List

(a) Class counsel proposes that Rust Consulting, Inc., 625 Marquette Avenue, Suite 880 Minneapolis, MN 55402, forthwith be engaged to develop the Class List. The Class List is the list of class members including name, address, and relevant facts relating to a Virginia judgment. Rust is a well-known, reliable, cost-effective, proven industry leader in Class Action Administration, including database expertise necessary to develop a comprehensive class list.

Upon entry of an Order, Equifax shall provide to Rust adequate, acceptable data in a suitable format, as well as a knowledgeable employee to assist Rust in generating a complete class list.

Or, in the alternative,

Within five days of the entry of a scheduling Order, Equifax will produce to Class Counsel in a generally accepted electronic format, e.g. Access, all monthly credit files containing a Virginia state court civil judgment for any month during the class period.

- (b) The Parties shall agree to a Protective Order to govern the development of the Class List.
- (c) Rust shall work directly with the Executive Secretary of the Supreme Court of Virginia to obtain the information necessary to develop the full class list. Rust will then compile the data from the Supreme Court of Virginia with the Equifax class list data. Rust shall deliver the final compiled class list to the parties within 14 days of receiving such data from the Supreme Court of Virginia.

(2) Notice

Class counsel proposed an initial draft notice to Counsel for Equifax on April 29, 2011. Equifax shall respond within one week thereafter and the parties will meet and confer to try and resolve any difference. Failing that, the parties will submit their own respective notices with no more than five pages outlining the disputed portions by May 9, 2011.

(3) Class Discovery

Parties may (a) serve no more than 45 Interrogatories; (b) take no more than 15 depositions, unless by agreement or having requested and received approval by the court.

(4) Scheduling Order

- (a) Discovery begins: May 2, 2011
- (b) Plaintiff's expert disclosures due: July 15, 2011

- (c) Defendant's expert disclosures due: August 15, 2011
- (d) Discovery ends: October 31, 2011
- (e) Motions for Summary Judgment due: December 1, 2011
- (f) Response to Motions for Summary Judgment due: December 16, 2011
- (g) Reply to Motions for Summary Judgment due: December 23, 2011

(5) Trial Date

A five-day trial in this matter shall be set 45 – 60 days following the Court's ruling on all motions pending.

Respectfully Submitted:

DONNA K. SOUTTER *on behalf of herself and other similarly situated individuals,*

/s/
Susan M. Rotkis
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CERTIFICATE OF SERVICE

I hereby certify that on this 3 day of May 2011, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/

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